IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2707 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

THAKORBHAI CHHOTABHAI PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR RC KAKKAD for the Petitioner.

MR DN PATEL for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 20/03/2003

ORAL JUDGEMENT

This is a petition for a direction to the respondent authority to make correction in the passport already issued to the petitioner on the basis of the

birth certificate issued by the competent authority showing his correct date of birth as 1.2.1940 in place of 28.1.1940.

2. Heard the learned counsel for the parties. The petitioner has moved an application for correction of the date of birth as 1.2.1940 in place of 28.1.1940 the basis of the birth certificate issued by the competent authority. However, the respondent authority has refused to correct the same on the ground that they have no authority unless an order is passed by the competent court of law. In the facts and circumstances, this petition is being disposed of finally with a direction to the respondent authority to decide the application/representation which has already been filed by the petitioner in accordance with law and on the basis of the material on record within a period of two weeks from the date of presentation of the certified copy of this judgment. If no application is pending, the respondent will entertain application of the petitioner. The respondent authority will be at liberty to impose appropriate costs for these proceedings. Rule made absolute accordingly with no order as to costs. Direct service permitted.

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